No. 9400214

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

DEKALB Genetics Corporation

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED, PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSES, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

SOYBEAN

'CX399'

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this twenty-ninth day of February in the year of our Lord one thousand nine hundred and ninety-six.

Attest:

Marsha A. Stanton
Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

Secretary of Agriculture

PRODUCE LOCALLY. *Include form number and edition date on all reproductions.* OMB APPROVED NO. 0581-0055

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE DIVISION

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

(INSTRUCTIONS ON REVERSE)

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF APPLICANT(S) (as it is to appear on the Certificate)
DEKALB Genetics Corporation

2. TEMPORARY DESIGNATION OR EXPERIMENTAL NO.
EX337

3. VARIETY NAME
CX399

4. ADDRESS (street and no. or R.F.D. no., city, state, and ZIP)
3100 Sycamore Road
DeKalb, IL 60115

5. PHONE (include area code)
(815) 758-3461

FOR OFFICIAL USE ONLY

PVPO NUMBER
9400214

FILING
Date: July 1, 1994
Time: ☐ A.M. ☑ P.M.

FEES RECEIVED
Filing and Examination Fee: $ 2,325.00
Date: June 30, 1994
Certificate Fee: $ 300.00
Date: Feb. 20, 1996

6. GENUS AND SPECIES NAME
Glycine max L. Merr.

7. FAMILY NAME *(Botanical)*
Leguminosae

8. CROP KIND NAME *(Common Name)*
Soybean

9. DATE OF DETERMINATION
Summer 1991

10. IF THE APPLICANT NAMED IS NOT A "PERSON," GIVE FORM OF ORGANIZATION (Corporation, partnership, association, etc.)
Corporation

11. IF INCORPORATED, GIVE STATE OF INCORPORATION
Delaware

12. DATE OF INCORPORATION
June 15, 1988

13. NAME AND ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS

Robert E. Roman, Jr.
DEKALB Genetics Corporation
3100 Sycamore Road
DeKalb, IL 60115

&

R. Mark Lawson, Ph.D.
DEKALB Genetics Corporation
3100 Sycamore Road
DeKalb, IL 60115
PHONE (include area code): (815) 758-3461

14. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED *(Follow* **INSTRUCTIONS** *on reverse)*

a. ☒ Exhibit A, Origin and Breeding History of the Variety
b. ☒ Exhibit B, Novelty Statement
c. ☒ Exhibit C, Objective Description of Variety
d. ☐ Exhibit D, Additional Description of Variety
e. ☒ Exhibit E, Statement of the Basis of Applicant's Ownership
f. ☒ Seed Sample (2,500 viable untreated seeds). Date Seed Sample mailed to Plant Variety Protection Office _____
g. ☒ Filing and Examination Fee ($2,325) made payable to "Treasurer of the United States"

15. DOES THE APPLICANT(S) SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY AS A CLASS OF CERTIFIED SEED? *(See section 83(a) of the Plant Variety Protection Act)* ☐ YES *(If "YES," answer items 16 and 17 below)* ☒ NO *(If "NO," skip to item 18 below)*

16. DOES THE APPLICANT(S) SPECIFY THAT THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS?
☐ YES ☐ NO

17. IF "YES" TO ITEM 16, WHICH CLASSES OF PRODUCTION BEYOND BREEDER SEED?
☐ FOUNDATION ☐ REGISTERED ☐ CERTIFIED

18. DID THE APPLICANT(S) PREVIOUSLY FILE FOR PROTECTION OF THE VARIETY IN THE U.S.?
☐ YES (If "YES," through ☐ Plant Variety Protection Act ☐ Patent Act. Give date: _____).
☒ NO

19. HAS THE VARIETY BEEN RELEASED, USED, OFFERED FOR SALE, OR MARKETED IN THE U.S. OR OTHER COUNTRIES?
☒ YES (If "YES," GIVE NAMES OF COUNTRIES AND DATES) U.S.A., spring 1994
☐ NO

20. The applicant(s) declare(s) that a viable sample of basic seeds of this variety will be furnished with the application and will be replenished upon request in accordance with such regulations as may be applicable.

The undersigned applicant(s) is (are) the owner(s) of this sexually reproduced novel plant variety, and believe(s) that the variety is distinct, uniform, and stable as required in section 41, and is entitled to protection under the provisions of section 42 of the Plant Variety Protection Act.

Applicant(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.

SIGNATURE OF APPLICANT [Owner(s)]	CAPACITY OR TITLE	DATE
R. Mark Lawson	Director, Research Operations	6/24/94
SIGNATURE OF APPLICANT [Owner(s)]	CAPACITY OR TITLE	DATE

SD-470 (06-93) *Editions of Forms LS-470 (3/86) and CSSD-470 (5/89) are to be destroyed.*

CONTINUED ON REVERSE

EXHIBIT A

Origin and Breeding History
CX399

CX399 is an F_3 plant selection from the cross CX458 x CX366. Both CX458 and CX366 are proprietary varieties developed by DEKALB Genetics Corporation.

Summer 1986	The cross CX458 x CX366 was made.
Winter 1986-87	F_1 generation was grown (range 1, row 21). F_2 generation was grown (range 21, rows 1-10).
Summer 1987	F_3 generation was grown (range 603, rows 25-40 and range 604, rows 1-24).
Summer 1988	Individual F_4 plant rows were grown (range 177, row 9 through range 200, row 29). Range 188, row 11 was selected.
Summer 1989	F_5 seed was yield tested.
Summer 1990	F_6 seed was yield tested and 130 pounds of seed was produced from the bulk.
Summer 1991	F_7 seed was yield tested and 163 bushels of breeder seed was produced.
Summer 1992	F_8 seed was yield tested and 905 bushels of foundation seed was produced.
Summer 1993	F_9 seed was yield tested and 19,000 bushels of registered seed was produced.
February 4, 1994	The F_{10} seed was given the variety name CX399.

Statement of Stability and Uniformity

Soybean variety CX399 has been judged to be uniform for breeding use and testing after six generations of selfing. CX399 was reproduced and judged uniform and stable for an additional three generations.

Statement of Variants

CX399 shows no variants other than what would normally be expected due to environment or that would occur for almost any characteristic during the course of repeated sexual reproduction.

EXHIBIT B

Novelty Statement

CX399 most closely resembles CX366; however, CX366 has purple flowers and is intermediate for seed coat luster whereas CX399 has white flowers and has dull seed coat luster.

EXHIBIT C

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OBJECTIVE DESCRIPTION OF VARIETY

Soybean Variety CX399

APPLICANT:	DEKALB Genetics Corporation 3100 Sycamore Road DeKalb, IL 60115

1. **SEED SHAPE:** Spherical
2. **SEED COAT COLOR: (Mature Seed)** Yellow
3. **SEED COAT LUSTER: (Mature Hand Shelled Seed)** Dull
4. **SEED SIZE: (Mature Seed)** 16 Grams per 100 seeds
5. **HILUM COLOR: (Mature Seed)** Black
6. **COTYLEDON COLOR: (Mature Seed)** Yellow
7. **SEED PROTEIN PEROXIDASE ACTIVITY:** High
8. **SEED PROTEIN ELECTROPHORETIC BAND:**
9. **HYPOCOTYL COLOR:** Green with bronze band below cotyledons
10. **LEAFLET SHAPE:** Ovate
11. **LEAFLET SIZE:** Medium
12. **LEAF COLOR:** Medium Green
13. **FLOWER COLOR:** White
14. **POD COLOR:** Tan
15. **PLANT PUBESCENCE COLOR:** Brown (Tawny)
16. **PLANT TYPE:** Bushy
17. **PLANT HABIT:** Indeterminate
18. **MATURITY GROUP:** III

19. DISEASE REACTION: (0=Not Tested; 1=Susceptible; 2=Resistant)

Bacterial Diseases:		*Fungal Diseases:*	
Bacterial Pustule:	0	Brown Spot:	0
Bacterial Blight:	0	Frogeye Leaf Spot:	0
Wildfire:	0	Target Spot:	0
		Downy Mildew:	0
Viral Diseases:		Powdery Mildew:	0
Bud Blight:	0	Brown Stem Rot:	0
Yellow Mosaic:	0	Stem Canker:	0
Cowpea Mosaic:	0	Pod and Stem Blight:	1
Pod Mottle:	0	Purple Seed Stain:	0
Seed Mottle:	0	Rhizoctonia Root Rot:	0
		Phytophthora Rot	
Nematode Diseases:		Race 1:	2
Soybean Cyst Nematode		Race 2:	0
Race 1:	0	Race 3:	2
Race 2:	0	Race 4:	0
Race 3:	0	Race 5:	0
Race 4:	0	Race 6:	0
Other:	0	Race 7:	0
Lance Nematode:	0	Race 8:	0
Southern Root Knot:	0	Race 9:	0
Northern Root Knot:	0		
Peanut Root Knot:	0		
Reniform Nematode:	0		
Other:	0		

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20. PHYSIOLOGICAL RESPONSES: (0=Not Tested; 1=Susceptible; 2=Resistant)

Iron Chlorosis on Calcareous Soil:	0
Other:	0

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21. INSECT REACTION: (0=Not Tested; 1=Susceptible; 2=Resistant)

Mexican Bean Beetle:	0
Potato Leaf Hopper:	0
Other:	0

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22. INDICATE WHICH VARIETY MOST CLOSELY RESEMBLES THAT SUBMITTED:

Character	Name of Variety	Character	Name of Variety
Plant Shape	WILLIAMS82	Seed Coat Luster	CX458
Leaf Shape	CX366	Seed Size	CX366
Leaf Color	CX366	Seed Shape	CX458
Leaf Size	CX366	Seedling Pigmentation	CX458

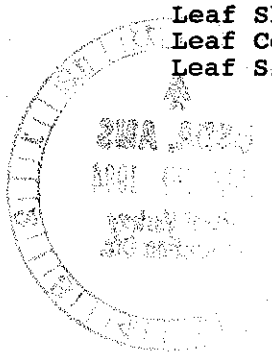

EXHIBIT C
CX399
Page three.

23. DATA FOR SUBMITTED AND SIMILAR STANDARD VARIETY: Paired Comparison Data

VARIETY	NO OF DAYS MATURITY	PLANT LODGING SCORE	PLANT HEIGHT CM	LEAFLET SIZE Width cm	LEAFLET SIZE Length cm	SEED CONTENT % Prot	SEED CONTENT % Oil	SEED SIZE G/100 SEEDS	NO. SEEDS /POD
CX399	137	2.3	104	--	--	36.2	18.6	16.5	2-3
CX366	134	2.2	94	--	--	34.6	19.2	17.4	2-3

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EXHIBIT E

Statement of the Basis of Applicant's Ownership

CX399 was originated and developed by a breeder empolyed by DEKALB Genetics Corporation. By agreement between DEKALB Genetics Corporation and the breeder, all rights to any invention, discovery, or development are assigned to DEKALB Genetics Corporation. No rights to such invention, discovery, or development are retained by the breeder.